



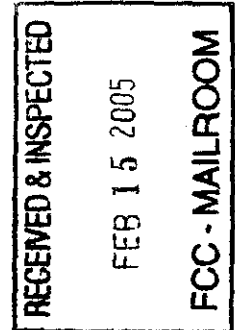
Federal Communications Commission  
Washington, D.C. 20554

4C2B  
Imaging Center

February 10, 2005

Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

DOCKET



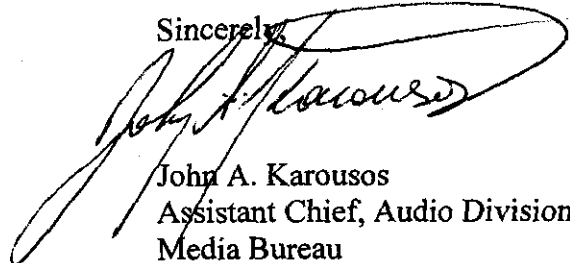
Dear Mr. Crawford:

This letter refers to the petition for rule making you filed requesting the allotment of Channel 288C2 to Rochester, Texas, as the community's first local FM commercial service. To accommodate this allotment, you also requested the substitution of Channel 293A for vacant Channel 291A at Knox City, Texas and substitution of Channel 250C3 for vacant Channel 293C3 at Crowell, Texas.

A staff engineering analysis reveals that your petition is unacceptable for consideration at this time. Specifically, your proposal is prematurely filed because the proposed allotment of Channel 291A at Knox City, Texas is pending in MM Docket No. 01-199. *See Knox City, Texas*, 16 FCC Rcd 15801 (MMB 2001). There is no final disposition in that rulemaking proceeding because a *Report and Order* has not been issued allotting Channel 291A to Knox City. As such, Channel 291A must be allotted to Knox City before a channel substitution is proposed. Moreover, it is our policy to return any petition for rule making that is contingent upon another rulemaking proceeding, unless the decision in that proceeding is effective but not final. *See Auburn et al.*, 18 FCC Rcd 10333 (MB 2003).

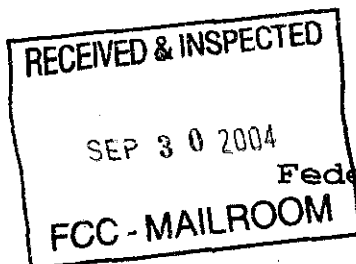
We are returning your petition for rulemaking for the reasons discussed above.

Sincerely,



John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

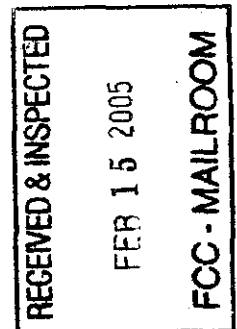
Enclosure



Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of 73.202 (b) ) MB Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Rochester, TX) )

To: John Karousos, Assistant Chief  
Audio Division of the  
Media Bureau



PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 288C2 at Rochester, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 288C2 to Rochester, Texas as that community's first local service. Rochester, Texas is an incorporated community of 378 people.<sup>1</sup> Rochester, Texas has its own post office, city hall, mayor, volunteer fire department and its own school district, the Rochester Independent School District, Steven

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<sup>1</sup> U.S. Census 2000

Self, Superintendent. Rochester is also home to a number of churches. The proposed channel 288C2 will provide additional diversity and an outlet for local self-expression to Rochester residents and therefore is in the public interest.

In order for Channel 288C2 to be allotted at Rochester, Texas, two vacant allotments will need to be replaced with equivalent channels, Channel 291A/ Knox City and Channel 293C3/ Crowell.

The proposed changes are:

	<u>Present</u>	<u>Proposed</u>
Rochester, TX	-----	288C2
Knox City, TX	291A	293A
Crowell, TX	293C3	250C3

Attached hereto is a channel study confirming that Channel 288C2 can be allocated to Rochester, Texas, consistent with the FCC's FM separation rules, provided Channel 291A/ Knox City is moved to Channel 293A. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment A)

Reference coordinates for Channel 288C2 at Rochester, Texas are:

33 20 00 N  
99 52 00 W

In order for Channel 288C2 to be allotted at Rochester, Texas, the vacant allotment for Channel 291A at

Knox City, Texas will need to be replaced with Channel 293A. Attached hereto is a channel study confirming that Channel 293A can be allocated to Knox City, Texas consistent with the FCC's FM separation rules, provided the vacant allotment for Channel 293C3 at Crowell, Texas is moved to Channel 250C3. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

Reference coordinates for Channel 293A at Knox City, Texas are:

33 26 00 N  
99 52 00 W

In order for Channel 293A to be allotted at Knox City, Texas, the vacant allotment for Channel 293C3 at Crowell, Texas will need to be replaced with Channel 250C3. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment C)

Reference coordinates for Channel 250C3 at Crowell, Texas are:

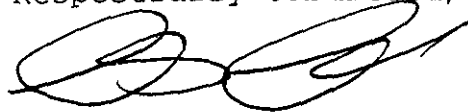
33 48 48 N  
99 46 15 W

Should this petition be granted and Channel 288C2 allotted to Rochester, Texas, Petitioner will apply for Channel 288C2 at Rochester and after it is authorized, will

promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Charles Crawford  
4553 Bordeaux Ave.  
Dallas, Texas 75205  
(214) 520-7077 tele

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

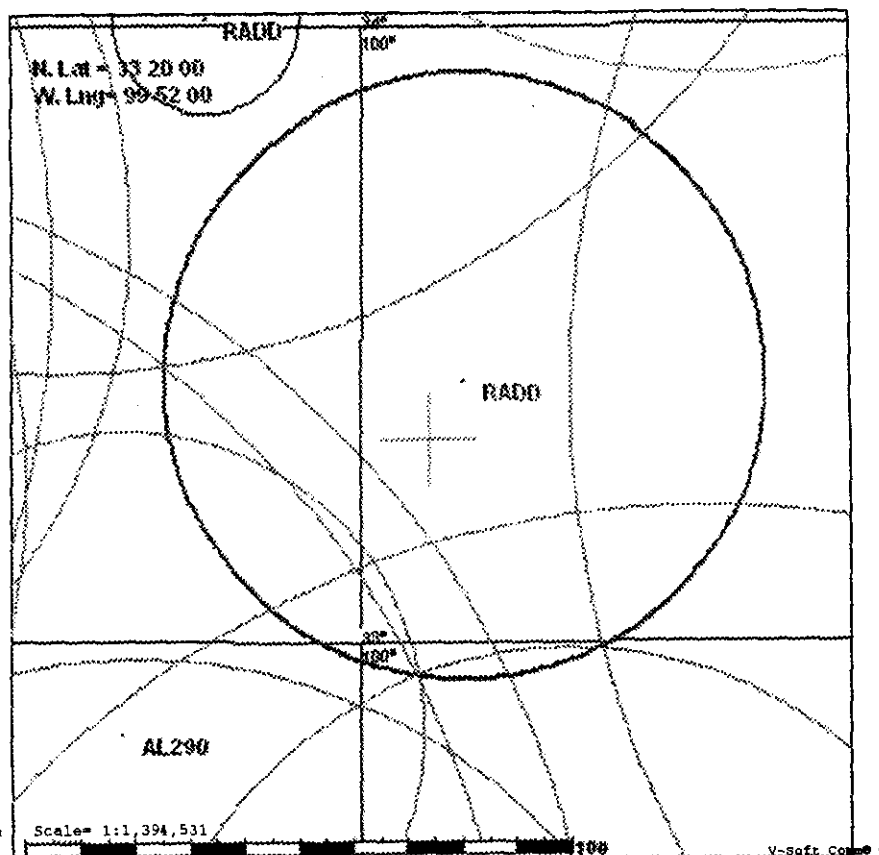
September 24, 2004

rochesteerr

Attachment A

(Channel Study for Channel 288C2/ Rochester, Texas)

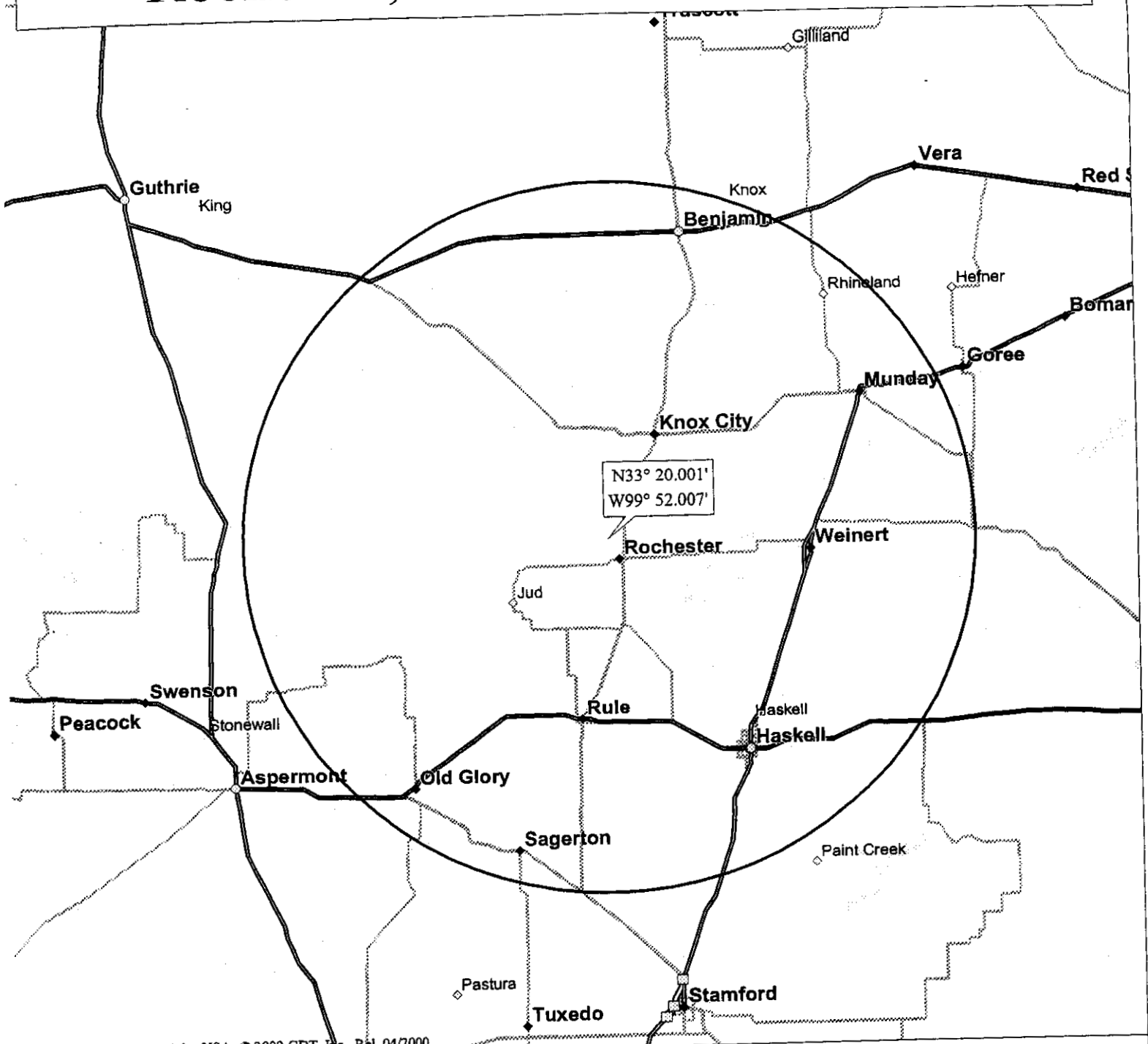
FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 288 C2 105.5 MHz



Dates:  
Data: 09-21-04  
Job : 09-23-04

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	291A	ADD	Knox City	TX	12.80	31.1	55.0	-42.20
DKBYG-	288A	VAC	Coahoma	TX	177.33	229.7	166.0	11.33
AL288	288C3	VAC	Santa Anna	TX	195.70	165.1	177.0	18.70
AL290	290A	VAC	Rotan	TX	77.29	226.3	55.0	22.29
AP288	288A	APP	Coahoma	TX	190.92	232.2	166.0	24.92
KLSRFM	287C1	LIC	Memphis	TX	183.34	338.2	158.0	25.34
KRNB	289C	LIC N	Decatur	TX	214.23	87.8	188.0	26.23
KEANFM	286C1	LIC	Abilene	TX	119.96	167.7	79.0	40.96
AL289	289A	VAC	Robert Lee	TX	155.68	200.2	106.0	49.68
KRBL	289A	LIC	Idalou	TX	164.97	283.3	106.0	58.97
RADD	234C3	ADD	Paducah	TX	85.75	331.8	17.0	68.75
KLVTFM	288A	LIC	Levelland	TX	236.82	277.4	166.0	70.82
KQTZ	290C*	LIC	Hobart	OK	178.56	17.0	105.0	73.56
KLVTFM	287C2	RSV	Levelland	TX	203.79	267.7	130.0	73.79
KLVTFM	287C2	RSV	Levelland	TX	203.79	267.7	130.0	73.79

# Rochester, TX CH 288C2 70 dBu



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Mag 10.00  
Thu Sep 23 18:47 2004  
Scale 1:500,000 (at center)

10 Miles

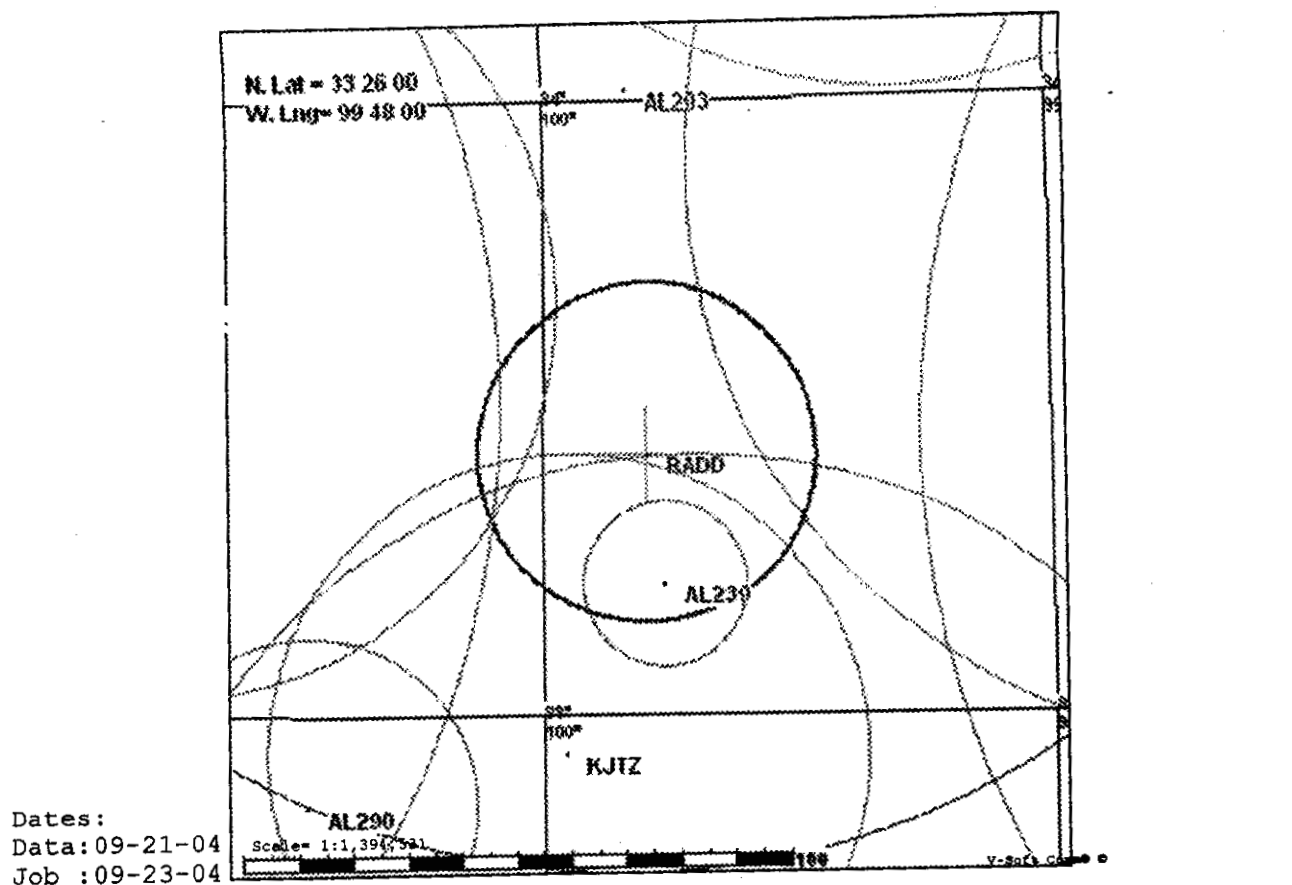
10 KM



Attachment B

(Channel Study for Channel 293A/ Knox City, Texas)

FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 293 A 106.5 MHz



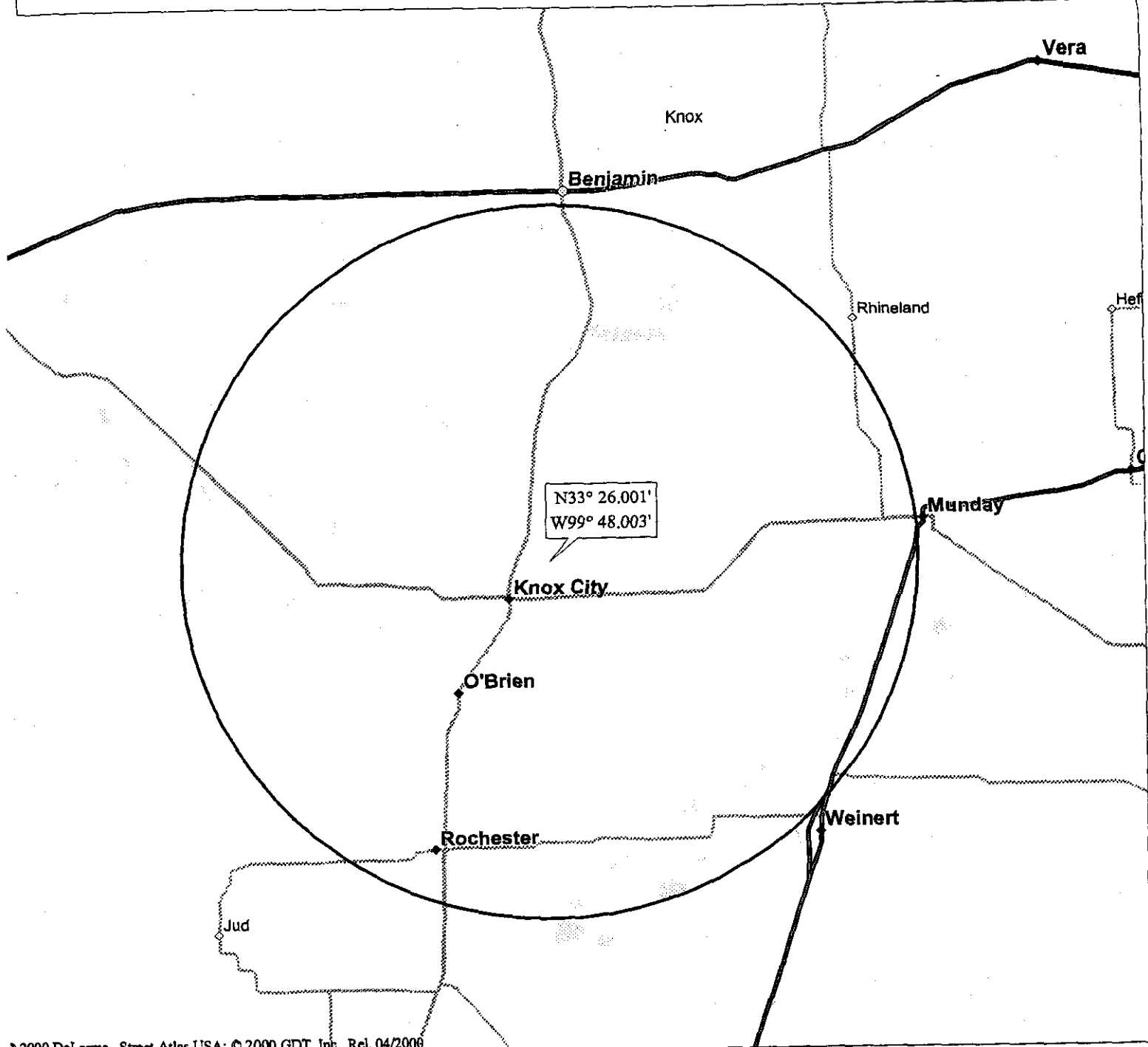
Dates:

Data:09-21-04

Job :09-23-04

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
AL293	293C3	VAC	Crowell	TX	65.10	357.5	142.0	-76.90
RADD	291A	ADD	Knox City	TX	0.47	109.4	31.0	-30.53
KKHR	292C2	LIC	Abilene	TX	106.52	175.3	106.0	0.52
KJTZ	295C2	LIC	Stamford	TX	56.84	194.8	55.0	1.84
AL239	239C2	VAC	Rule	TX	24.25	171.7	15.0	9.25
KBZS	292C2	LIC	N Wichita Falls	TX	124.84	65.7	106.0	18.84
AL294	294A	VAC	Dickens	TX	92.32	287.5	72.0	20.32
KEJS	293C2	LIC	Lubbock	TX	192.78	272.9	166.0	26.78
KKDL	294C	LIC	N Muenster	TX	215.31	89.3	165.0	50.31
AL290	290A	VAC	Rotan	TX	89.50	224.0	31.0	58.50
KQZT	290C*	LIC	Hobart	OK	166.16	16.1	95.0	71.16

# Knox City, TX CH 293A 70 dBu



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





Mag 11.00

Thu Sep 23 18:42 2004

Scale 1:250,000 (at center)

5 Miles

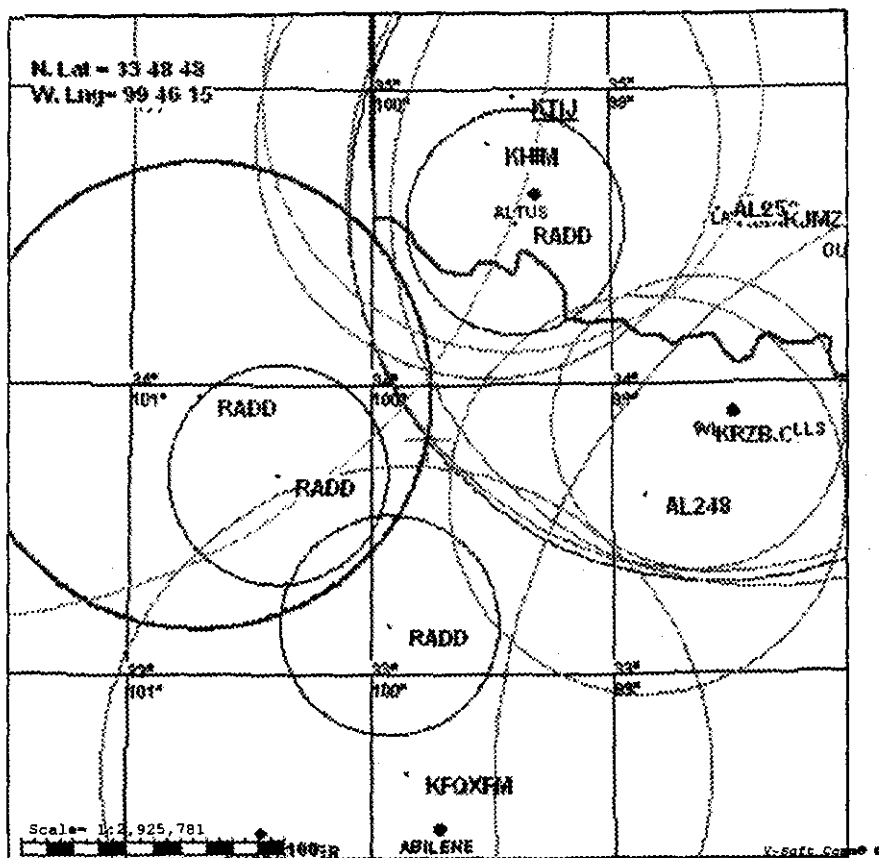
5 KM

-  US Highway
-  Major Connector
-  State Route
-  County Seat
-  Small Town
-  Locale
-  Water

Attachment C

(Channel Study for Channel 250C3/ Crowell, Texas)

FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 250 C3 97.9 MHz



Dates:

Data: 09-14-04

Job : 09-20-04

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	249A	ADD	Roaring Springs	TX	88.85	281.0	89.0	-0.15
KJMJZ.A	250A	APP	Cache	OK	141.95	52.1	142.0	-0.05
AL250	250A	RSV	Cache	OK	143.50	50.5	142.0	1.50
KFOXFM	251C2	LIC	Anson	TX	127.80	183.5	117.0	10.80
RDEL	248C1	DEL	Archer City	TX	87.07	104.4	76.0	11.07
AL248	248C1	RSV	Archer City	TX	87.07	104.4	76.0	11.07
KJMJZ	251C1	LIC	Lawton	OK	156.59	56.1	144.0	12.59
KGNCFM	250C*	LIC	Amarillo	TX	253.00	311.9	237.0	16.00
RADD	252A	ADD	Guthrie	TX	58.74	256.7	42.0	16.74
KHIM	249A	LIC	Mangum	OK	114.43	11.8	89.0	25.43
RADD	253A	ADD	Rule	TX	72.59	191.2	42.0	30.59
KTIJ	253C*	LIC	Elk City	OK	133.34	14.3	96.0	37.34
RADD	252A	ADD	Olustee	OK	88.58	22.5	42.0	46.58
KRZB.C	248C2	CP	Archer City	TX	104.09	86.8	56.0	48.09
KBFB	250C	LIC	Dallas	TX	294.72	116.8	237.0	57.72